

LA QUINTA CITY COUNCIL
MINUTES
TUESDAY, JUNE 5, 2012

A regular meeting of the La Quinta City Council was called to order at the hour of 3:01 p.m. by Mayor Adolph.

PRESENT: Council Members Evans, Franklin, Henderson, Osborne, Mayor Adolph
ABSENT: None

PUBLIC COMMENT - None

CLOSED SESSION

1. **CONFERENCE WITH LABOR NEGOTIATORS, SKI HARRISON AND TERRY DEERINGER, REGARDING NEGOTIATIONS WITH THE LA QUINTA CITY EMPLOYEES ASSOCIATION PURSUANT TO GOVERNMENT CODE SECTION 54957.6 MEET AND CONFER PROCESS**

City Attorney Jenson announced that Ski Harrison is on vacation so he will not be in attendance.

2. **CONFERENCE WITH THE CITY'S REAL PROPERTY NEGOTIATOR, FRANK SPEVACEK, PURSUANT TO GOVERNMENT CODE SECTION 54956.8 CONCERNING POTENTIAL TERMS AND CONDITIONS OF ACQUISITION AND/OR DISPOSITION OF .62 ACRES OF REAL PROPERTY LOCATED APPROXIMATELY 500 FEET NORTH OF HIGHWAY 111 ON THE WEST SIDE OF ADAMS STREET (APN 643-080-026-1). PROPERTY OWNERS / NEGOTIATORS: ONE ELEVEN LA QUINTA, LLC, MICHAEL J. SHOVLIN**

3. **EVALUATION OF CITY ATTORNEY PERFORMANCE PURSUANT TO GOVERNMENT CODE SECTION 54957**

The City Council recessed to Closed Session to and until the hour of 4:00 p.m.

The City Council meeting was reconvened at 4:00 p.m. with no decisions being made in Closed Session which require reporting pursuant to Government Code Section 54957.1 (Brown Act).

Mayor Adolph led the audience in the Pledge of Allegiance.

PUBLIC COMMENT

Public Speaker: Paul Reisman, 100-225 State Park Road, North Shore, Salton Sea—California State Parks Department, Acting Superintendent at Salton Sea. Mr. Reisman provided information on the situation at the Salton Sea resulting from State cuts over time, and the funding cuts to come. He said he hopes to revitalize the Salton Sea, possibly with assistance from the Federal government which requires 50% matching funds. This approach will take a minimum of two years to get funding.

Public Speaker: Bill Meister, 100-225 State Park Road, North Shore, Salton Sea – member of a 501(c)3 organization that has added fundraising and park management to their mission. The organization has generated \$100,000, but needs \$250,000 to operate the park facilities at the Salton Sea. Mr. Meister asked Council to contribute \$15,000 to match a grant they received. The Mayor advised Mr. Meister and Mr. Reisman that their request should be submitted to the Community Services Department on the City's grant request form.

Public Speaker: Glen Farley, 81867 Rancho Santana Drive, La Quinta – Mr. Farley said that noise from Coachella Fest this year was exceptionally bothersome. He believes the greater volume and heat caused sound to travel further. Mr. Farley said he would be interested in seeing the results of the sound level testing equipment that was in use both weekends. He noted that the last EIR for the festival was done in 1993 and it has grown considerably since then. He asked for a new EIR. He said that although some things have improved, wall jumpers and sound are problems that need attention. Mayor Adolph informed Mr. Farley that the City has had staff working with Goldenvoice with good results regarding traffic and other areas, but Council is aware there is still a sound issue.

Public Speaker: David Yrigoyew, 81874 Rancho Santana Drive, La Quinta – Mr. Yrigoyew said that some positives resulted from pre-meetings with Goldenvoice, but the noise was horrible. He said Goldenvoice isn't willing to be a good neighbor because their response to sound complaints is to just claim that the sound was within the decibel level allowed. Mr. Yrigoyew asked Council to get deeply involved and try to mitigate the impacts.

Public Speaker: Alejandro Vasquez, 51890 Avenida Rubio, La Quinta – Mr. Vasquez stated that he was a 30-year resident of La Quinta and said the state of the city has never been better, it's beautiful. He explained that he received a Notice from Code Compliance and requested a waiver of the \$100 fine for garage sales signs improperly posted. He also suggested that garage sale application be available in Spanish. Mayor Adolph asked the City Manager to work with Mr. Vasquez to resolve the issue.

CONFIRMATION OF AGENDA - Confirmed

PRESENTATIONS

1. LA QUINTA LIBRARY AND MUSEUM QUARTERLY REPORT FOR JANUARY THROUGH MARCH 2012

La Quinta Museum Manager Anne Phillips presented the Museum report.
La Quinta City Librarian Beth Foley presented the Library report.

Council Member Henderson requested that future reports include figures from past quarterly periods so Council could compare quarter to quarter and see the growth/decrease in circulation and door count.

2. PRESENTATION BY SUPERVISOR JOHN BENOIT REGARDING CALIFORNIA BIO MASS

Presentations were given by the following:

- John Benoit, Riverside County Supervisor
- Dr. Barry Wallerstern, Executive Director, South Coast Air Quality Management District (SCAQMD)
- Ed Pupka, Senior Enforcement Manager, SCAQMD
- Rudy Eden, Lab & Source Test Manager, SCAQMD
- John Watkins, County of Riverside, Department of Environmental Health
- Jeff Johnson, County of Riverside, Department of Environmental Health, Branch Chief.

Mayor Adolph and Council Members questioned the SCAQMD and County presenters regarding the original EIR done for this company in this location, their level of compliance with their lease agreement, the remedies once the odorous material(s) are identified, and the timetable for resolution.

Supervisor Benoit stated that once the County identifies the source of the odor and the cause (exact chemical), the county has the power to restrict operation, or order them to cease taking in the odor-causing material. At present, the County has no justification to close the business. Resolution is at the top of their priority list and both agencies will stay with this until the problem is solved.

Public Speaker: Robert Sylk, 79675 Rancho Santa Margarita, La Quinta – speaking for Chairman of Concerned Citizens of La Quinta, Odor Free Committee and for over 200 people who signed a petition. The organization's true concern is for the health of residents. He said this should be cleaned up as soon as possible, and asked city to use its clout to resolve this issue. Mr. Sylk suggested that this plant be relocated since it is on County-leased land.

Public Speaker: Deb Ehrich, 60933 Fire Barrel Drive, La Quinta - Board Secretary for Concerned Citizens – distributed a handout prepared by her husband, Ed. Ms. Ehrich spoke of her experience in visiting the site, the complaints from her neighbors and visitors. She said she had a petition signed by 200+ residents, and hundreds of complaints about the odor and duct particles.

Public Speaker: Ilan Ben-David, 61601 Tulare Lane, La Quinta – Mr. Ben-David informed Council that he and his wife retired in Trilogy part-time four years ago. He said he does not want to be forced to stay indoors and is concerned about possible health effects of the odor and black dust.

Public Speaker: Rosette Kivel, 61345 Fire Barrel Drive, La Quinta – Ms. Kivel said that the smell has impacted her quality of life. She said the smells seem to be worse on weekends when there are no County or SCAQMD employees available to test.

Public Speaker: Mindy Rose, 81785 Golden Star Way, La Quinta – Ms. Rose described the odor as a rancid, sour smell that is very pervasive at hole 10 on the golf course. She is embarrassed when family or guests visit who notice and comment on the odor.

Public Speaker: Fritz Bachli, 61375 Fire Barrel Drive, La Quinta – Mr. Bachli presented his findings from investigations he has conducted including the problems, solutions and opportunities of the situation.

WRITTEN COMMUNICATIONS – None

APPROVAL OF MINUTES

1. **APPROVAL OF MINUTES OF THE SPECIAL MEETING HELD MAY 4, 2012**
2. **APPROVAL OF MINUTES OF THE REGULAR MEETING HELD MAY 15, 2012**

MOTION – A motion was made by Council Members Evans/Franklin to approve the City Council Minutes of May 4, 2012 as submitted. Motion carried unanimously.

Council Member Henderson requested that her comment on page 17 of the May 15 minutes be clarified to indicate that she asked Council to consider proposing a \$5 parcel tax in the future to fund the operations of Martha's Village and the Coachella Valley Rescue Mission.

MOTION - A motion was made by Council Members Evans/Osborne to approve the City Council Minutes of May 15, 2012 as amended by Council Member Henderson above. Motion carried unanimously.

CONSENT CALENDAR

1. APPROVAL OF DEMAND REGISTER DATED JUNE 5, 2012
2. ADOPTION OF A RESOLUTION CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2012, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA [Resolution 2012-026]
3. ADOPTION OF A RESOLUTION REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, CALIFORNIA, TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2012, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THAT DATE PURSUANT TO §10403 OF THE ELECTION CODE [Resolution 2012-027]
4. APPROVAL TO EXCUSE BOARD MEMBER KURT MORTENSON FROM THE JUNE 13, 2012 INVESTMENT ADVISORY BOARD MEETING
5. DENIAL OF THE CLAIM FOR DAMAGES FILED BY DALE AND MARCIE MICHAEL AND AWDREA WITT, DATE OF LOSS – MARCH 6, 2012
6. APPROVAL TO EXCUSE COMMISSIONER MARK WEBER'S ABSENCE FROM THE MAY 22, 2012 PLANNING COMMISSION MEETING
7. ADOPTION OF A RESOLUTION TO EXTEND THE TIME FOR COMPLETION OF THE OFFSITE IMPROVEMENTS FOR TRACT MAP 32070, CODORNIZ, RJT HOMES, LLC [Resolution 2012-028]
8. APPROVAL OF A ONE YEAR CONTRACT EXTENSION WITH VINTAGE ASSOCIATES FOR THE PARK LANDSCAPE MAINTENANCE SERVICES CONTRACT FOR FISCAL YEAR 2012/2013
9. APPROVAL OF SECOND READING AND ADOPTION OF ORDINANCE NO. 496 AMENDING TITLE 2 OF THE LA QUINTA MUNICIPAL CODE TO REVISE CHAPTER 2.10 (CITY CLERK)
10. APPROVAL OF SECOND READING AND ADOPTION OF ORDINANCE NO. 497 AMENDING TITLE 9, ZONING, OF THE LA QUINTA MUNICIPAL CODE, TO ALLOW OUTDOOR SALES AND DISPLAY AT RETAIL STORES GREATER THAN 100,000 SQUARE FEET (§9.100.120), AND TO MODIFY THE PERMITTED FREQUENCY OF SIDEWALK SALES AND COMMERCIAL EVENTS (§9.100.130). APPLICANT: CITY OF LA QUINTA

11. APPROVAL OF SECOND READING AND ADOPTION OF ORDINANCE NO. 498 AMENDING TITLE 9, ZONING, OF THE LA QUINTA MUNICIPAL CODE TO REQUIRE A SPECIFIC PLAN FOR ANY NEW DEVELOPMENT ON A LOT THAT IS ONE-HALF ACRE OR GREATER IN SIZE AND LOCATED WITHIN THE VILLAGE COMMERCIAL DISTRICT (§9.65). APPLICANT: CITY OF LA QUINTA
12. ADOPTION OF A RESOLUTION TO EXTEND THE TIME FOR COMPLETION OF THE ONSITE IMPROVEMENTS FOR TRACT MAP 31202-3, RANCHO SANTANA, OAK TREE INDUSTRIES, INC. [Resolution 2012-029]
13. ADOPTION OF A RESOLUTION TO EXTEND THE TIME FOR COMPLETION OF THE ONSITE IMPROVEMENTS FOR TRACT MAP 31202-4, RANCHO SANTANA, OAK TREE INDUSTRIES, INC. [Resolution 2012-030]
14. ACCEPTANCE OF ONSITE IMPROVEMENTS ASSOCIATED WITH TRACT MAP 35996, TRILOGY, SHEA LA QUINTA, LLC
15. ADOPTION OF A RESOLUTION GRANTING APPROVAL OF A FINAL MAP FOR PARCEL 36329, PUBLIC PROPERTY AT AVENUE 52 AND AVENIDA BERMUDAS, OWNER: CITY OF LA QUINTA [Resolution 2012-031]
16. APPROVAL OF A GRANT APPLICATION TO THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT FOR TWO SOLAR PANEL PROJECTS AND AN ELECTRIC VEHICLE CHARGING STATION PROJECT
17. APPROVAL OF AMENDMENT NO. 3 TO THE AGREEMENT WITH TESERRA FOR PROJECT LMC 2008-13, LANDSCAPE MAINTENANCE SERVICES FOR LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT 89-1 AND APPROVAL OF CONTRACT CHANGE ORDER NO. 9
18. AUTHORIZATION FOR OVERNIGHT TRAVEL FOR ONE MEMBER OF THE CITY COUNCIL TO ATTEND THE LEAGUE OF CALIFORNIA CITIES REVENUE AND TAXATION COMMITTEE MEETING IN SACRAMENTO, CALIFORNIA TO BE HELD JUNE 14, 2012
19. RATIFICATION OF MUTUAL TERMINATION OF AGREEMENT WITH ROSENOW SPEVACEK GROUP RELATING TO WASHINGTON STREET APARTMENT REHABILITATION
20. APPROVAL OF A TENDER AGREEMENT WITH ARCH INSURANCE FOR THE ADAMS STREET BRIDGE PROJECT, APPROVAL OF A CONSTRUCTION CONTRACT WITH GRANITE CONSTRUCTION TO COMPLETE THE ADAMS STREET BRIDGE IMPROVEMENTS, AND AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE THE DOCUMENTS, PROJECT 2006-06

Public Speaker: Lydia Shinohara, 41230 Carlotta Drive, Palm Desert – Realtor speaking on behalf of Rick Myers, a La Quinta property owner adjacent to Tract 35996. Regarding Item #14, requests that the city delay releasing bonds and acceptance of the onsite improvements and require Shea La Quinta to improve the unsightly wall bordering her client's property.

Public Works Director Jonasson explained that the item before the Council does not involve the wall described by Ms. Shinohara, and all the improvements required for this Tract have been inspected and approved by the Building Department. To assist Mr. Myers and Shea La Quinta in resolving their dispute, the Mayor asked Director Jonasson to explain Ms. Shinohara's complaint to Shea La Quinta and ask them to correct the situation.

Council Member Osborne announced that due to a business relationship with Teserra, he has a conflict with Item #17 and intends to abstain from voting on this item.

MOTION – A motion was made by Council Members Evans/Franklin to approve the Consent Calendar items as recommended, with the exception of item 17, and with items 2, 3, 7, 12, 13, 15 being approved by the Resolution numbers indicated after each title above. Motion passed unanimously.

ITEM #17

MOTION - A motion was made by Council Members Evans/Franklin to approve Consent Calendar item #17 as recommended. Motion passed 4 ayes, 0 noes, 1 abstain.

BUSINESS SESSION

1. CONSIDERATION OF A RESOLUTION INITIATING YOUTH PLAYER FEES FOR SPORTS FACILITIES [Resolution 2012-032]

MOTION – A motion was made by Council Members Franklin/Evans to adopt Resolution No. 2012-032 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA ADOPTING FEES FOR LA QUINTA SPORTS FIELDS. Motion passed unanimously.

2. CONSIDERATION OF THE COMMUNITY SERVICES COMMISSION WORK PLAN FOR FISCAL YEAR 2012/2013

Community Services Director Hylton presented the staff report

MOTION – A motion was made by Council Members Franklin/Henderson to approve the Community Services Commission 2012/2013 Work Plan as submitted. Motion passed unanimously.

3. CONSIDERATION OF THE IMPLEMENTATION OF THE INCREASED DEVELOPMENT IMPACT FEES (DIF) FOR RESIDENTIAL DEVELOPMENT FROM THE DIF STUDY DATED SEPTEMBER 16, 2008

Public Works Director Jonasson presented the staff report.

Public Speaker: Gretchen Gutierrez, 34360 Gateway Drive, Palm Desert – CEO of the Desert Valley Builders Association. Ms. Gutierrez requested that Council take action to keep the DIF deferral in place for another six months.

Public Speaker: Fred Bell, 28900 Avenida La Vista (no city provided) - Desert Valley Builders Association. Mr. Bell asked Council to hold off on any increase until the current 2012 study is completed because the 2008 study is based on peak-of-the-market figures.

Council Member Osborne asked council to consider adjusting fees based on square footage of homes to be built. City Attorney Jenson said that could be considered but the City would first have to conduct another public hearing on the fees.

Director Jonasson noted that staff may have to bring back an RFP if Council wishes to change the methodology.

City Manager Spevacek stated that staff will place a discussion on a gradient fee structure on a future Council agenda after gathering more data on it.

MOTION – A motion was made by Council Members Evans/Henderson to take no action thereby allowing the implementation of DIF fees for residential development to go into effect July 1, 2012. Motion passed unanimously.

4. CONSIDERATION OF FISCAL YEAR 2012/2013 PRELIMINARY BUDGET

Finance Director Falconer presented the staff report.

Council Member Osborne asked Council to consider reallocating some of the \$45,000 formally budgeted for the RSG economic development contract to Coachella Valley Economic Partnership (CVEP) \$20,000 and Community Services grants \$20,000.

Public Speaker: William Cain, 52485 Avenida Rubio, La Quinta – Mr. Cain requested that Council make contributions to the La Quinta Arts Foundation

contingent upon the foundation setting aside a few festival spaces for local La Quinta artists.

Public Speaker: J. Paul, 55585 Cherry Hills, La Quinta – Owner/Landlord to the City for police department substation on Corporate Drive, and representing business owners in the Hwy 111 corridor. [Council Member Osborne left the dais during this discussion due to a conflict resulting from a business relationship with Mr. Paul] Mr. Paul said that the purpose of locating the substation there was to properly service the Highway 111 corridor. As the building landlord, Mr. Paul stated that he would be willing to discuss different alternatives with the City to allow the substation to remain.

City Manager Spevacek stated that the Police services contract will soon be brought to Council for review which will include examining the entire service delivery and how the substations fit into that. Staff will return to Council with a comprehensive report on all issues raised tonight.

Council Member Evans suggested that the \$45,000 saved from the mutual termination of the RSG contract be used to bring CVEP funding up to \$50,000 by using \$28,750 of the funds.

Council Member Franklin suggested adding the balance of the RSG funds totaling \$16,250 to Community Services grants.

MOTION – A motion was made by Council Members Osborne/Evans to approve the preliminary budget with an amendment to increase CVEP funding to \$50,000 by allocating \$28,750 of the \$45,000 from the cancelled economic development contract, and allocate the balance of \$16,250 to increase Community Service grants.

Council Member Henderson stated that she supports the preliminary budget recommended by staff, but is against the amendment reallocating the \$45,000.

Mayor Adolph stated that the motion is on the preliminary budget.
Motion passed 5-0.

5. CONSIDERATION OF A RESOLUTION TO EXTEND THE TIME FOR COMPLETION FOR THE OFFSITE IMPROVEMENTS FOR TRACT MAP 31202-1, RANCHO SANTANA, DESERT CHEYENNE, INC. [Resolution 2012-033]

Public Works Director Jonasson presented the staff report.

Public Speaker: Lenard Wahlert, 81773 Contento, La Quinta – Mr. Wahlert submitted a petition entitled: "Carmela Homeowners Petition to Complete Median."

The petition stated: We the undersigned are concerned citizens who urge John Pedalino with Desert Elite Inc. to act now to complete the median on Monroe bordering Ranch Santana and Carmela communities.

Public Speaker: John Pedalino, no form submitted, no address given – Mr. Pedalino said he was the developer of Rancho Santana and had these improvements on the calendar to complete but had to wait for CVWD to complete their work first.

Public Speaker: Dennis Winans, 81913 Via La Serena – Mr. Winans expressed concern about all the extensions and hopes this will be the end of the extensions for offsite improvements.

MOTION – A motion was made by Council Members Henderson/Osborne to adopt Resolution No. 2012-033 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, GRANTING AN EXTENSION OF TIME FOR THE COMPLETION OF THE OFFSITE IMPROVEMENTS AS SPECIFIED IN THE APPROVED SUBDIVISION IMPROVEMENT AGREEMENT TO JUNE 21, 2013 FOR TRACT MAP NO. 31202-1, RANCHO SANTANA. Motion passed unanimously.

COUNCIL RECESSED FOR APPROXIMATELY 15 MIN.

The City Council meeting reconvened at 7:36 p.m.

PUBLIC COMMENT - None

PUBLIC HEARINGS

1. ***CONTINUED PUBLIC HEARING TO CONSIDER ADOPTION OF A RESOLUTION TO APPROVE A ONE-YEAR TIME EXTENSION FOR SITE DEVELOPMENT PERMIT 2006-852, FOR A 264-UNIT CONDOMINIUM PROJECT, COMPRISED OF UNITS OF UP TO 29.5 FEET IN HEIGHT, AND OTHER AMENITIES, BOUNDED BY PGA BOULEVARD TO THE SOUTH, THE ARNOLD PALMER PRIVATE CLUBHOUSE AND PGA WEST TENNIS CLUB TO THE WEST, THE PGA STADIUM COURSE TO THE NORTH, AND THE PGA TOURNAMENT CLUBHOUSE TO THE EAST. APPLICANT: EDEN ROCK RPW, LLC [Resolution 2012-034]***

Mayor Adolph and Council Member Franklin announced they had a conflict with this item due to the proximity to their residences. They recused themselves and left the dais during discussion and vote on this item.

Planning Director Johnson presented the staff report.

Public Speaker: Wayne Rembolt, no address given, no form submitted – Applicant and Managing member of Eden Rock. Mr. Rembolt said he accepts staff

recommendations; however, he would like to remove the dirt mound after the Humana event.

Public Speaker: Jennifer Jenkins, 55955 PGA Boulevard, La Quinta - Membership Director. Ms. Jenkins said the mound has been there for 25 years without issue and she has no problem waiting until after the Humana event for it to be removed.

Mayor Pro Tem Henderson declared the PUBLIC HEARING OPEN at 7:48 p.m.

Public Speaker: Tracy Fuller of Peters & Freedman LLP gave a list of items her clients would like the developer to address.

Public Speaker: Jennifer Jenkins, 55955 PGA Boulevard – Ms. Jenkins spoke in support of developer and the recommendations in the staff report.

Mayor Pro Tem Henderson declared the PUBLIC HEARING CLOSED at 8:04 p.m.

MOTION – A motion was made by Council Members Evans/Osborne to adopt Resolution No. 2012-034 with Conditions of Approval item #17 amended to change the deadline for this item to the expiration of this one-year extension. The Resolution is entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, GRANTING A THIRD, ONE-YEAR EXTENSION OF TIME, TO ALLOW DEVELOPMENT OF A 264-UNIT RESIDENTIAL CONDOMINIUM PROJECT FOR PROPERTY LOCATED WITHIN THE PGA WEST DEVELOPMENT, BOUNDED BY PGA BOULEVARD TO THE SOUTH, THE ARNOLD PALMER PRIVATE CLUBHOUSE AND PGA WEST TENNIS CLUB TO THE WEST, THE PGA STADIUM COURSE TO THE NORTH, AND THE PGA TOURNAMENT CLUBHOUSE TO THE EAST. CASE NO.: SITE DEVELOPMENT PERMIT 2006-852, APPLICANT: EDEN ROCK RPW, LLC. Motion passed 3 ayes, 0 noes, 2 absent.

2. **PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE LA QUINTA GENERAL PLAN MAP AND THE LA QUINTA ZONING MAP CHANGING TWO DEVELOPED PUBLIC PROPERTIES FROM VILLAGE COMMERCIAL TO MAJOR COMMUNITY FACILITIES. PROPERTY LOCATIONS: LA QUINTA MUSEUM, 77885 AVENIDA MONTEZUMA AND THE VILLAGE PARKING LOT, NW CORNER OF AVENIDA MONTEZUMA / BERMUDAS. APPLICANT: CITY OF LA QUINTA [Resolution 2012-035, Ordinance 499]**

Planning Director Johnson presented the staff report.

Mayor Adolph declared the PUBLIC HEARING OPEN at 8:07 p.m.

Public Speaker: none

Mayor Adolph declared the PUBLIC HEARING CLOSED at 8:08 p.m.

MOTION – A motion was made by Council Members Evans/Franklin to adopt Resolution No. 2012-035 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT 2012-124, AMENDING THE OFFICIAL GENERAL PLAN LAND USE MAP BY CHANGING TWO DEVELOPED PUBLIC PROPERTIES FROM VILLAGE COMMERCIAL TO MAJOR COMMUNITY FACILITIES. PROPERTY LOCATIONS: LA QUINTA MUSEUM, 77885 AVENIDA MONTEZUMA AND THE VILLAGE PARKING LOT, NW CORNER OF AVENIDA MONTEZUMA/ BERMUDAS. CASE NO.: GENERAL PLAN AMENDMENT 2012-124, APPLICANT: CITY OF LA QUINTA

Motion passed unanimously.

MOTION – A motion was made by Council Members Evans/Osborne to take up Ordinance No. 499 by title and number only and waive further reading. Motion passed unanimously.

ORDINANCE NO. 499

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP BY CHANGING TWO DEVELOPED PUBLIC PROPERTIES FROM VILLAGE COMMERCIAL TO MAJOR COMMUNITY FACILITIES. PROPERTY LOCATIONS: LA QUINTA MUSEUM, 77885 AVENIDA MONTEZUMA AND THE VILLAGE PARKING LOT, NW CORNER OF AVENIDA MONTEZUMA/ BERMUDAS. APPLICANT: CITY OF LA QUINTA. CASE NO.: ZONE CHANGE 2012-141, APPLICANT: CITY OF LA QUINTA

MOTION – A motion was made by Council Members Evans/Osborne to introduce Ordinance No. 499 for first reading. Motion passed by the following vote:

AYES: Council Members Evans, Franklin, Henderson, Osborne and Mayor Adolph

NOES: None

ABSTAIN: None

ABSENT: None

STUDY SESSION

1. DISCUSSION OF PROPOSED CIRCULATION, SUSTAINABLE COMMUNITY, AND LAND USE ELEMENTS OF THE GENERAL PLAN UPDATE

City Consultants Nicole and John Criste of Terra Nova presented the report.

Public Speaker: Deborah McGarrey, representing Southern California Gas Company - Ms. McGarrey does not support designating NEVs in the General Plan. She asked that the term "low emission vehicles" be used to be more generic and more inclusive.

After questions and discussion with consultants and staff, Council Members requested that the plan for a multi-purpose trail remain in the General Plan, and when there is more concrete information about a regional trail, Council can amend the General Plan if it desires. Staff was also asked to be consistent in the attachments re: trail identification.

Planning Director Johnson suggested the following timeline for approval:

- Draft Environmental Impact Report released: July 6 followed by a community workshop
- Planning Commission review and approval: Sept 11
- City Council review and approval: October 2

There was Council consensus that a Sphere of Influence (SOI) discussion is necessary prior to the adoption of the General Plan.

City Manager Spevacek stated that language can be added to the General Plan stating that the City will prepare a master plan for the SOI when and if that day should come, but not committing the city to do so. In the meantime, the General Plan will move forward. He anticipates bringing a discussion item regarding annexing property within the SOI to the Council in September or October.

REPORTS AND INFORMATIONAL ITEMS

Coachella Valley Association of Governments, Homelessness Committee – Council Member Osborne reported that Roy's Shelter received its 501(c)(3) tax status which gives it more flexibility to raise funds. Mr. Osborne also reported that the Palm Springs Senior Center received a huge grant for senior meals which he would like Community Services to investigate for La Quinta.

Imperial Irrigation District (IID), Energy Consumers' Advisory Committee – Council Member Osborne reported that IID staff will be recommending an increase in utility costs close to 20% over the next two years due to the green energy requirement. The District has reserves of almost \$150 million so it's up to the IID Board as to whether they increase these rates. IID has some programs to alleviate utility burdens on low income and senior households.

Coachella Valley Association of Governments, Transportation Committee – Council Member Henderson reported that there was an agenda item requesting authorization for the Executive Director to release an RFP for consultant work related to the grant from the Strategic Growth Council. Ms. Henderson explained that she does not support this plan for a multi-vehicle trail, and did not support the motion, but the motion passed by one vote.

Coachella Valley Association of Governments, Ad Hoc Committee – Council Member Henderson reported that Transportation Uniform Mitigation Fee (TUMF) for La Quinta passed, and it will now go back to the Transportation Committee followed by the Executive Board.

Coachella Valley Association of Governments (CVAG) – Mayor Adolph reported that CVAG approved a \$600,000 budget.

Sunline Transit Agency - Mayor Adolph reported that a union strike has been averted. In an effort to raise revenue, Sunline is developing a new program to advertise on their buses. Lastly, Mayor Adolph reported that CVAG has refused the management of taxis so Sunline is now proposing that the desert cities, via a joint powers agreement, take over management of taxicabs in the valley. The consensus among Council was for Mayor Adolph to report that La Quinta was not interested in this arrangement.

DEPARTMENT REPORTS

CITY CLERK - SUMMER SCHEDULE FOR CITY COUNCIL MEETINGS

Interim City Clerk Maysels presented the report.

Council reached a consensus to cancel the meetings of August 21, 2012 and September 4, 2012

MAYOR'S AND COUNCIL MEMBERS' ITEMS

Mayor Adolph reported that he attended the Las Vegas shopping center convention and spoke with three major hotel chains and encouraged the restaurant Steak and Shake to open in La Quinta when it moves into California.

ADJOURNMENT

There being no further business, it was moved by Council Members Franklin/Evans to adjourn at 9:27 p.m. Motion passed unanimously

Respectfully submitted,



SUSAN MAYSELS, Interim City Clerk
City of La Quinta, California